

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

UNITED STATES OF AMERICA

V.

DONALD SWAIN

JUDGMENT IN A CRIMINAL CASE

(For **Revocation** of Probation or Supervised Release)

(For Offenses Committed On or After November 1, 1987)

Case Number: 3:92CR270-21

USM Number: 09984-058

R. Brent Walker

Defendant's Attorney

**FILED**  
CHARLOTTE, N. C.

JUL - 5 2005

U. S. DISTRICT COURT  
W. DIST. OF N. C.

**THE DEFENDANT:**

X admitted guilt to violation of condition(s) 1-3 of the term of supervision.  
 \_\_\_ Was found in violation of condition(s) count(s) \_\_\_\_ After denial of guilt.

**ACCORDINGLY**, the court has adjudicated that the defendant is guilty of the following violations(s):

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Date Violation Concluded</u>
1	New Law Violation	3/14/03
2	New Law Violation	8/25/03
3	New Law Violation	1/15/04

The Defendant is sentenced as provided in pages 2 through 2 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984, United States v. Booker, 125 S.Ct. 738 (2005), and 18 U.S.C. § 3553(a).

X The Defendant has not violated condition(s) 4 and is discharged as such to such violation(s) condition.

**IT IS ORDERED** that the Defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay monetary penalties, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

**IT IS ORDERED** that the Court Appointed Counsel fees are remitted.

Date of Imposition of Sentence: 6/21/05

Graham C. Mullen  
 Signature of Judicial Officer

Graham C. Mullen  
 Chief Judge

Date: 5 July 05

Defendant: DONALD SWAIN  
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**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of THIRTY-SEVEN (37) MONTHS.

X The Court makes the following recommendations to the Bureau of Prisons:

That the defendant participate in a 500 hour residential drug treatment program while incarcerated.

X The Defendant is remanded to the custody of the United States Marshal.

     The Defendant shall surrender to the United States Marshal for this District:

         As notified by the United States Marshal.

         At      a.m. / p.m. on     .

     The Defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

         As notified by the United States Marshal.

         Before 2 p.m. on     .

         As notified by the Probation Office.

**RETURN**

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_  
\_\_\_\_\_, with a certified copy of this Judgment.

\_\_\_\_\_  
United States Marshal

By: \_\_\_\_\_  
Deputy Marshal